

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., MICRON
SEMICONDUCTOR PRODUCTS, INC.,
MICRON TECHNOLOGY TEXAS LLC,

Defendants.

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CIVIL ACTION NO. 2:23-CV-00628-JRG


ORDER

Before the Court is the Motion to Dismiss Plaintiff's Complaint for Lack of Subject-Matter Jurisdiction (the "Motion to Dismiss") filed by Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively, "Micron"). (Dkt. No. 7.) In the Motion to Dismiss, Micron seeks the dismissal of Plaintiff Netlist, Inc.'s ("Netlist") Complaint (Dkt. No. 1). (Dkt. No. 7 at 1.) Since the filing of the Motion to Dismiss, Plaintiff has filed an Amended Complaint. (Dkt. No. 14.)

It is well established that a later-filed amended complaint moots a motion asking the Court to dismiss an earlier-filed complaint. *See Griffin v. Am. Zurich Ins. Co.*, 697 F. App'x 793, 797 (5th Cir. 2017) ("Once filed, that amended complaint rendered all earlier motions ... moot."); *see also Bishop Display Tech LLC v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-00139-JRG, Dkt. No. 40 (E.D. Tex. Oct. 4, 2021) ("Once Plaintiff filed its amended complaint, the Motion became moot."); *Ultravision Technologies, LLC v. Eaton Corp. PLC*, No. 2:19-CV-00290-JRG, 2019 WL 11250161, at *1 (E.D. Tex. Nov. 7, 2019) ("Accordingly, the filing of an amended complaint moots a motion to dismiss the original complaint.").

Accordingly, the Court finds that the Motion to Dismiss (Dkt. No. 7) should be and hereby is **DENIED-AS-MOOT**.

So ORDERED and SIGNED this 19th day of July, 2024.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE